

UNITED STATES DISTRICT COURT

for the

District of New Mexico

United States District Court
Albuquerque, New MexicoMitchell R. Elfers
Clerk of CourtUnited States of America
v.
EDWARD VALLEZ, aka: "DOPEY"Case No. **23mj284***Defendant(s)*

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 9, 2023 in the county of Bernalillo in the
 District of New Mexico, the defendant(s) violated:*Code Section*

21 U.S.C. § 841(b)(1)(A)

Offense Description

Possession with intent to distribute 400 grams or more of fentanyl

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.*Complainant's signature*

Jordan Spaeth, FBI Special Agent

Printed name and title

Sworn to before me by telephone or other reliable electronic means.

Date: 02/13/2023City and state: Albuquerque, New Mexico*Judge's signature*

Laura Fashing, US Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF ARREST WARRANT AND CRIMINAL COMPLAINT

I, Jordan Spaeth, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND BACKGROUND OF THE AFFIANT

1. I am a Special Agent with the FBI and have been a sworn law enforcement officer for 14 years, serving as a police officer and FBI Special Agent. I have been with the FBI since 2018 and am currently assigned to the Albuquerque division of the FBI, to the Violent Gang Task Force (“VGTF”). As a member of the VGTF my primary responsibility is to investigate criminal enterprises involving violent repeat offenders and gang members who participate in violations of the Controlled Substances Act, firearms violations, murder, robberies, racketeering, and other violations of federal law.

2. I make this affidavit in support of the arrest of EDWARD VALLEZ, aka: “DOPEY,” for a violation of 21 U.S.C. § 841(b)(1)(A) possession with intent to distribute 400 grams or more of fentanyl.

3. The statements contained in this affidavit are based upon my investigation, training and experience, and information provided by other law enforcement officers or from other reliable sources. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts which I believe are necessary to establish probable cause to support a criminal complaint against VALLEZ.

THE TARGET SUBJECT

4. I have reviewed VALLEZ’s criminal history, I am aware that he has been arrested 27 times in New Mexico and has been convicted of the following felony offenses aggravated burglary with a deadly weapon (x4), aggravated fleeing a law enforcement officer (x4), aggravated assault with a deadly weapon, cruelty to animals, being a convicted felon in possession of a

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firearm, and trafficking a controlled substance (x4). VALLEZ is a Sureños gang member and currently on probation through New Mexico Corrections Department (“NMCD”).

5. By way of background, on September 1, 2022, VGTF agents executed 15 search warrants as part of a Violent Crime in Aid of Racketeering and drug distribution investigation. One of those 15 locations was the residence of VALLEZ, case number 22MR1261. Pursuant to the search, agents seized marijuana from VALLEZ’s residence and NMCD subsequently issued a probation violation warrant for VALLEZ. As a result of the 15 search warrants, agents seized approximately 1 million fentanyl M-30 pills, \$1.8 million dollars, more than 35 firearms, approximately 142 pounds of methamphetamine, ammunition, ballistic vests, and other items. At the time of the police pursuit referenced below, VALLEZ was still wanted on the outstanding probation violation warrant.

PROBABLE CAUSE

6. On February 9th, 2023, at approximately 10:59 pm, a NMSP patrol officer was patrolling within the City of Albuquerque, when the officer observed a white in color Dodge Durango Sport Utility vehicle bearing a NM tag BJL14 (Subject Vehicle). Officers later learned that the Subject Vehicle was registered to VALLEZ.

7. The Subject Vehicle was traveling on Interstate 25 at a speed of approximately one hundred and twenty-five (125) miles per hour. As the officer engaged his emergency equipment, the Subject Vehicle accelerated and fled the traffic stop at high speed traveling westbound on Avenida Cesar Chavez. Due to erratic and dangerous driving behaviors the officer deactivated his emergency equipment, slowed down to posted speed and began traveling west bound on Avenida Cesar Chavez, in the same direction as the Subject Vehicle. As the officer approached the intersection of Bridge Boulevard SW, (Avenida Cesar Chavez) near La Vega Drive SW, he

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observed debris shattered through both westbound and eastbound lanes of Bridge Blvd SW and damage to a cinderblock wall. The officer also observed the Subject Vehicle with heavy damage; it was apparent that the Subject Vehicle had crashed.

8. The officer exited his patrol unit, and was informed by a civilian that the civilian had detained one of the male occupants of the vehicle. Agents later identified the male subject as the passenger of the Subject Vehicle. The passenger had fled the scene of the crash and the civilian held him at gunpoint until police arrived. The passenger was then detained by officers and placed in the rear seat of a marked NMSP unit. The passenger stated that he was concerned that the other occupant was still inside the vehicle.

9. Other officers arrived and set a perimeter around the scene of the crash. At approximately 11:14 pm, officers located VALLEZ on Airway Road SW and Cannon Road SW which was approximately 0.3 miles from the crash scene. It is important to note that from the time the traffic stop was initiated until the apprehension of VALLEZ only approximately 15 minutes had passed. VALLEZ was transported back to the scene. Officers observed multiple scratches on the top of VALLEZ's head, the scratches are consisted with a person being involved in a vehicle crash. An officer also observed VALLEZ to display signs of impairment by having bloodshot and watery eyes, his speech was slurred, and the officer detected the strong odor of an alcoholic beverage emitting from VALLEZ breath/person.

10. During a tow inventory of the vehicle, several bags were located within the rear compartment of the Subject Vehicle. One of the bags was inspected and contained at least several thousand small round blue pills, suspected to contain fentanyl, stamped with the number "30" on one side, and the letter "M" on the other. Officers also located bags that contained multiple stacks of U.S. Currency, and observed several cell phones inside the vehicle.

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11. VALLEZ and the passenger were arrested and transported to the Metropolitan Detention Center. The Subject Vehicle was sealed and towed to a secured NMSP garage for safe keeping pending a search warrant.

12. On February 10, 2023, VGTF agents obtained and executed a search warrant on the Subject Vehicle¹. Pursuant to the search warrant, agents seized:

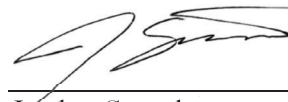
- a. approximately 230,000 blue fentanyl M-30 pills,
- b. approximately \$130,000, and
- c. three cell phones.

13. Agents also located one of the passenger's shoes in the front passenger area; along with court documents and a driver's license belonging to VALLEZ inside the vehicle.

CONCLUSION

14. Based on the above information, I believe there is probable cause that VALLEZ violated 21 U.S.C. §§ 841(b)(1)(A). This affidavit has been reviewed and approved by Assistant United States Attorney Paul Mysliwiec. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Respectfully submitted,



Jordan Spaeth
FBI Special Agent

Sworn telephonically and signed electronically on February 13, 2023:


HONORABLE LAURA FASCHING
UNITED STATES MAGISTRATE JUDGE
DISTRICT OF NEW MEXICO

¹ A photograph of items 12a and 12b are attached hereto as Attachment 1.

AFFIDAVIT IN SUPPORT OF ARREST WARRANT AND CRIMINAL COMPLAINT

Attachment 1:

